

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

05 Cv. 5231 (LTS)

Plaintiff,

- against -

ECF CASE

AMERINDO INVESTMENT ADVISORS INC.,
ALBERTO WILLIAM VILAR, and GARY ALAN
TANAKA

Defendants.

DECLARATION OF JESSICA L. MARGOLIS IN SUPPORT OF MOTION TO WITHDRAW

JESSICA L. MARGOLIS, an attorney duly admitted to practice before the courts of the Southern District of New York, declare the following under penalties of perjury:

1. I am an associate with the firm of Wilson Sonsini Goodrich & Rosati, Professional Corporation (“Wilson Sonsini” or “firm”). I submit this declaration in support of Wilson Sonsini’s motion to withdraw as counsel of record for Gary Alan Tanaka in the above-captioned action (the “Action”).

2. In October 2005, Glenn C. Colton, Esq., at the time a member of Wilson Sonsini, and I filed Notices of Appearance on behalf of Defendant Gary Alan Tanaka in the Action. In or about April 2009, Mr. Colton left Wilson Sonsini and joined the firm of Sonnenschein Nath & Rosenthal LLP.

3. Since my Notice of Appearance was filed in October 2005, this action has effectively been stayed pending resolution of a parallel criminal proceeding currently pending before the Honorable Richard J. Sullivan, United States District Judge for the Southern District of New York. That criminal

proceeding is still ongoing and is not expected to be concluded before mid-October 2009, the earliest. Accordingly, it is anticipated that the Action will continue to be stayed until at least mid-October 2009.

4. Mr. Tanaka has knowingly and freely consented to Wilson Sonsini's withdrawal from the Action and all related matters.

WHEREFORE, I respectfully request that the Court issue an Order permitting Wilson Sonsini Goodrich & Rosati, Professional Corporation, the undersigned, and all of Wilson Sonsini Goodrich & Rosati's attorneys and employees to withdraw from the Action.

Dated: August 13, 2009
New York, New York

By: /s/ Jessica L. Margolis
Jessica L. Margolis